

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA**

JANET COATES and FRANCILIA
GELIN, as individuals and as
representatives of the class,

Plaintiffs,

vs.

MIDFIRST BANK d/b/a MIDLAND
MORTGAGE, and FIRSTINSURE,
INC.,

Defendants.

Case No: 2:14-cv-01079-KOB

JOINT MOTION TO SUSPEND TIME
TO RESPOND TO AMENDED CLASS ACTION COMPLAINT IN LIGHT
OF CLASS ACTION SETTLEMENT AGREEMENT

Plaintiffs Janet Coates and Francilia Gelin (“Plaintiffs”) and Defendants MidFirst Bank d/b/a Midland Mortgage (“Midland”) and Firstinsure, Inc. (“Firstinsure”) (collectively, “Defendants”) have met and conferred and jointly request that the Court issue an Order suspending Defendants’ time to respond to the Amended Class Action Complaint (“Amended Complaint”).

On January 2, 2015, Plaintiffs filed an Amended Complaint. ECF No. 14. Defendants’ response to the Amended Complaint is currently due to be filed on or before January 16, 2015.

On January 2, 2015, Plaintiffs also filed an unopposed Motion for Preliminary Approval of Class Action Settlement. ECF Nos. 15-19. In light of the

Settlement and the Motion for Preliminary Approval, Plaintiffs and Defendants jointly move this Court for an order suspending the time for Defendants to file a response to the Amended Complaint until the Court enters a further scheduling order. If the Settlement is approved, Plaintiffs' Amended Complaint will be dismissed with prejudice. In that case, Defendant's response to the Amended Class Action Complaint will be unnecessary. WHEREFORE, the Parties respectfully request that the Court enter an order suspending the time for Defendants to file a response to the Amended Complaint until the Court enters a further scheduling order.

<p>DATED: January 5, 2015.</p> <p>NICHOLS KASTER, PLLP <u>/s/ Kai H. Richter</u> Kai H. Richter, MN Bar No. 0296545* Joseph C. Hashmall, MN Bar No. 0392610* *admitted <i>pro hac vice</i> 80 South Eighth Street 4600 IDS Center Minneapolis, Minnesota 55402 Telephone: (612) 256-3200 Fax: (612) 338-4878 Email: krichter@nka.com jhashmall@nka.com</p> <p>AND</p> <p>BEASLEY, ALLEN, CROW, METHVIN, PORTIS & MILES, P.C. Archie I. Grubb, II (GRU105) 218 Commerce Street</p>	<p>DATED: January 5, 2015.</p> <p>SIROTE & PERMUTT, P.C. <u>/s/ R. Ryan Daugherty</u> Kerry P. McInerney (ASB 7857-N75K) R. Ryan Daugherty (ASB 1653-B34D) 2311 Highland Avenue South Birmingham, Alabama 35205 Telephone: (205) 930-5100 Facsimile: (205) 212-3851 Email: kmcinerney@sirote.com rdaugherty@sirote.com</p> <p>AND</p> <p>David S. Kantrowitz *<i>pro hac vice</i> application forthcoming GOODWIN PROCTER LLP 53 State Street, Exchange Place Boston, MA 02109 Telephone: (617) 570-1254</p>
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<p>Post Office Box 4160 (36103) Montgomery, Alabama 36104 Telephone: (334) 269-2343 Facsimile: (334) 954-7555 Email: archie.grubb@beasleyallen.com</p> <p>ATTORNEYS FOR PLAINTIFFS AND THE PUTATIVE CLASS</p>	<p>Facsimile: (617) 523-1231 Email: dkanrowitz@goodwinprocter.com</p> <p>ATTORNEYS FOR DEFENDANTS MIDFIRST BANK AND FIRSTINSURE, INC.</p>
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CERTIFICATE OF SERVICE

I hereby certify that on January 5, 2015, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following which will send notification of such filing to the following:

Andrew England Brashier: Andrew.Brashier@beasleyallen.com;

Robert Ryan Daugherty: rdaugherty@sirote.com;

Archibald I Grubb, II: archie.grubb@beasleyallen.com;

Joseph C. Hashmall: jhashmall@nka.com;

Kerry P. McInerney: kmcinerney@sirote.com; and

Kai H. Richter: krichter@nka.com.

I further certify that on January 5, 2015, I mailed and emailed a courtesy copy of the foregoing to additional counsel for Defendants Midfirst Bank and FirstInsure, Inc. as follows:

David Kantrowitz
GOODWIN PROCTER LLP
53 State Street, Exchange Place
Boston, MA 02109
DKantrowitz@goodwinprocter.com

Dated: January 5, 2015

/s/ Kai H. Richter